UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/24188
26 June 1992

ORIGINAL: ENGLISH

FURTHER REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 752 (1992)

INTRODUCTION

1. The present report is submitted to the Security Council in the context of paragraph 12 of resolution 752 (1992) of 15 May 1992, in which the Council, inter alia, requested the Secretary-General to ensure that the United Nations Protection Force (UNPROFOR) would assume its full responsibilities in all the United Nations Protected Areas (UNPAs) as soon as possible and to encourage all parties and others concerned to resolve any problems remaining in that connection. It contains information available to the Secretariat up to 1200 hours, New York time, on 26 June 1992.

I. THE "PINK ZONES"

2. In my reports to the Security Council of 24 April 1992 (S/23844) and of 12 May 1992 (S/23900), I alluded to the problem of certain areas of Croatia that were then controlled by the Yugoslav People's Army (JNA) and populated largely by Serbs, but which were outside the agreed UNPAs boundaries. The Belgrade authorities had pressed strongly for these areas, which have come to be known as the "pink zones", to be included in UNPAs. Otherwise, they said, the Serbs resident in them would forcibly resist the restoration of Croatian authority after the withdrawal of JNA. In that event, the territorial defence units in the neighbouring UNPAs would refuse to abandon their fellow Serbs and widespread fighting would resume. The Croatian authorities had, equally strongly, resisted any changes in the UNPAs boundaries. My reports noted that all attempts by Mr. Marrack Goulding, Under-Secretary-General for Peace-keeping Operations, and Lieutenant General Satish Nambiar, the Force Commander of UNPROFOR, had been unsuccessful in reconciling these positions.

3. The question of the "pink zones" is one of great complexity. The problem is particularly acute in the areas adjacent to Sectors North and South. Nonetheless, the Croatian authorities are correct in their interpretation of the Plan approved by the Security Council, which does not provide for any

change in the UNPAs boundaries, other than the minor changes foreseen in the last sentence of paragraph 9 of annex III to document S/23280. They were therefore under no obligation to agree to an adjustment of the agreed boundaries in those Sectors in order to circumvent the problem. In the circumstances, I agreed that there was no alternative but to instruct General Nambiar to deploy and assume his responsibilities in all UNPAs in accordance with the Plan, while appealing to JNA and the local Serb authorities to use their influence to calm the fears of the Serb communities who would find themselves outside those areas, and to ensure that the demilitarization of UNPAs went according to plan.

II. ASSUMPTION OF RESPONSIBILITIES

4. Accordingly, UNPROFOR assumed its full responsibilities in Sector East on 15 May 1992, and went on to do the same in Sector West on 20 June 1992. At the same time, and in accordance with paragraph 12 of Security Council resolution 752 (1992), the Force Commander continued to pursue with the parties the possibility of finding some solution to the question described above, in a manner that would also safeguard the basic interests of both sides. Also during that time, JNA finally withdrew most of its forces from the areas in question, while leaving behind many of its members and much of their equipment; the remaining JNA members were placed under the command and authority of the local territorial defence forces.

5. General Nambiar and his senior colleagues have held many rounds of discussions, seeking to find some viable compromise, at meetings with both sides at Belgrade, Zagreb, Knin and Zadar. Senior members of the European Community Monitor Mission have also attended some of these meetings. During the last month the level of tension in the areas adjacent to Sectors North and South has been rising, with the expectation of the imminent assumption of authority by UNPROFOR. It has been the assessment of the Force Commander and of his sector commanders that until a solution has been found to the question of these adjacent areas, it would prove extremely difficult for UNPROFOR to assume its full responsibilities in Sectors North and South.

III. RECENT DEVELOPMENTS

6. On 1 June 1992, with the agreement of both parties, the Force Commander directed that UNPROFOR military and police teams should begin to move into the "pink zones" to commence preliminary reconnaissance and patrol activities, pending a final agreement. While this helped to lower the rising level of tension, developments in the region as a whole, including certain statements made by national leaders, again exacerbated the situation. After progress appeared to have been made in discussions in capitals and locally, the parties again began to adopt intransigent positions. The Force Commander none the less announced his intention to assume responsibility in Sectors North and South on 25 June.

7. On 21 June, the Croatian Army attacked positions of the Serb Territorial Defence Force near Drnis in the "pink zone" south of Sector South, and moved forward several kilometres. This led to a retaliatory Serb bombardment of the town of Sibenik, and, on 22 June, to a reciprocal Croatian bombardment of Knin, within Sector South. The advance of the Croatian Army, which UNPROFOR assesses to have been conducted by two brigades in a well-planned manner, is the second to have taken place in the last month in this area. Both were in breach of the 2 January 1992 Sarajevo Accord governing modalities for the implementation of the cease-fire. They were protested by UNPROFOR and by the European Community Monitor Mission, each of which called for the withdrawal of the Croatian Army to the former line of confrontation.

8. On 23 June, the military commander of UNPROFOR in Sector South reported growing tension, with general mobilization on the Serb side, and an increasing intensity of shelling by both sides. Substantial casualties had been incurred and it had been reported that a Serb Territorial Defence Force counter-attack had taken place. The Sector Commander assessed there was now a risk of extension of the conflict to the whole of the "pink zones".

9. General Nambiar discussed these matters with the Vice-Premier of the Government of the Republic of Croatia, Dr. Milan Ramljak, and Chief of Defence Staff, General Anton Tus, at a meeting at Zagreb on 23 June. The Croatian authorities indicated that the 21 June action had not been directed from Zagreb but had occurred in an unplanned manner, in reaction to deliberate and mounting Serb provocations during the previous days and months. None the less, the Croatian Army was unable to accede to the request of the European Community Monitor Mission and UNPROFOR to withdraw to its previous positions. General Nambiar pointed out that the recent offensive constituted a serious set-back to UNPROFOR endeavours to implement the Plan approved by the Security Council. It would be necessary to start afresh the process of building confidence among the parties. In the circumstances, a useful contribution could perhaps be made by the holding of a conference by UNPROFOR on the question of the "pink zones", with the participation of the Croatian authorities as well as representatives of the Serb inhabitants of the area, and of the European Community Monitor Mission. The Croatian Government did not accept that idea, stating that there was nothing further to discuss. It agreed, however, that monitors of UNPROFOR and the European Community Monitor Mission might be present in the "pink zones" after the Government's assumption of authority there, in order to reassure the Serb population of these areas.

10. The Force Commander then had a meeting on 24 June with Mr. Borisav Jovic, the President of the State Committee of the Federal Republic of Yugoslavia for Cooperation with the United Nations, at which he outlined the current situation regarding the "pink zones", and the prospects for the UNPROFOR assumption of authority over Sectors North and South. At that meeting, Mr. Jovic stated that failure to implement the Plan would result in the escalation of the current conflict, which could also spread from Bosnia and Herzegovina to those areas and beyond. His authorities remained available to find appropriate ways and means to resolve the problem, but they had to be acceptable to the local inhabitants of the "pink zones", whose fears of

Croatian rule were intense. He appealed to General Nambiar to continue working for a solution. A representative of the local authorities at Knin, Colonel Spanovic, likewise called upon UNPROFOR to assume authority in the region as a whole, including UNPAs and the "pink zones", as soon as possible. Describing what had happened in the last few days, he claimed that Croatia intended to launch further offensives in the region in the coming days. In the circumstances, his side could not be expected to disarm and withdraw. He stated that his authorities were open to any UNPROFOR proposal for a solution; none the less, he wanted the issue of the restoration of Croatian Government authority in the "pink zones" to be left open. General Nambiar said that he was now reporting to me on the deteriorating situation, and appealed for maximum restraint at this time.

IV. OBSERVATIONS

11. Having regard to all these circumstances, and to the exhaustive discussions that have taken place during the past three months with all parties concerned, the Force Commander of UNPROFOR has arrived at certain conclusions, which I fully endorse, and which I feel necessary to place before the Security Council for its consideration.

12. First, the restoration of Croatian authority in the "pink zones" without effective preparation and the re-establishment of confidence among its inhabitants does not now appear achievable without a serious danger of the resumption of armed conflict. Each side is fearful of the other's intentions, and the situation has recently been inflamed by the actions of both parties. UNPROFOR assurances to the Serb leadership in the area that the restoration of Croatian authority in the "pink zones" would be a gradual and primarly civilian process, taking place under international monitoring, have been undermined by the recent Croatian military offensive. The conduct of the Serb forces, in turn, does not augur well for the prospects of an orderly withdrawal of armed elements from the area.

13. Secondly, the instability caused within Sectors North and South by the "pink zones" situation has been increased by the conflict that is raging in the adjacent areas of Bosnia and Herzegovina. As indicated in my earlier report (S/24100, para. 25), this is also accentuating the growing humanitarian emergency which has particularly afflicted vulnerable groups in the two Sectors concerned.

14. Thirdly, the UNPROFOR assumption of responsibility in the Sectors and the implementation of the Plan approved by the Security Council, has little likelihood of success if the question of the "pink zones" remains unresolved. The first objective of UNPROFOR is to achieve demilitarization and the disbanding of paramilitary and irregular forces; to attempt to do so in a situation where general mobilization is occurring would severely erode UNPROFOR credibility. As a peace-keeping operation, UNPROFOR is dependent upon the cooperation of the authorities in Sectors North and South. It is unlikely that this cooperation would be forthcoming if the "pink zones" were in turmoil.

15. In these circumstances, it is necessary to formulate a series of measures that should be taken, under UNPROFOR supervision, in order to ensure a reasonable chance of avoiding further conflict and to stabilize the situation. Pending the Council's approval of these measures, UNPROFOR has delayed its assumption of responsibility in Sectors North and South.

16. On the basis of a recommendation from the Force Commander, I accordingly propose the following course of action:

(a) A joint commission would be established under the chairmanship of UNPROFOR and consisting of representatives of the Government of the Republic of Croatia and the local authorities in the region, with the participation of the European Community Monitor Mission, to oversee and monitor the process of the restoration of authority in the "pink zones" by the Croatian Government;

(b) UNPROFOR would assume its full responsibilities in Sectors North and South as soon as feasible and, simultaneously, would undertake monitoring functions in the "pink zones". There would be an immediate withdrawal of the Croatian Army, territorial defence forces and any irregular units from the "pink zones", including the area of the incursion that occurred on 21 June. No such elements would re-enter the "pink zones", their withdrawal being verified by United Nations Military Observers (with the exception of those disbanded and demobilized within these areas). In accordance with the Plan approved by the Security Council, any remaining JNA elements would also be withdrawn to the Federal Republic of Yugoslavia. (In this connection, safe passage for withdrawal by air from Udbina airport in Sector South would have to be guaranteed by the parties, as land routes for such withdrawal are now impracticable. For the same reason, all heavy equipment to be withdrawn by JNA would have to be placed in UNPROFOR custody until its removal could take place.);

(c) In these circumstances, the Croatian Army would disengage from the present line of confrontation in a manner and to a distance to be established by the Joint Commission. An appropriate number of United Nations Military Observers would be deployed along the line of confrontation and within the "pink zones", and mobile patrols would be conducted from Sectors North and South;

(d) United Nations Civilian Police (UNCIVPOL) would be deployed throughout the "pink zones" in order to monitor the maintenance of law and order by the existing police forces, with particular regard to the well-being of any minority groups in the areas. At a time that UNPROFOR decided was appropriate, but as soon as possible, UNCIVPOL would supervise the restoration of authority by the Croatian police and the re-establishment of the local police in proportion to the demographic structure of the areas prior to the conflict;

(e) Personnel of the European Commission Monitor Mission would be deployed on both sides of the line of confrontation but outside UNPAs, on the basis of a division of labour with UNPROFOR to be agreed within the Joint Commission;

(f) Prior to the reinstatement of Croatian authority in the "pink zones", a general amnesty in regard to events associated with the conflict would be brought into effect by the Government of Croatia, thus also helping to create a climate of security in which displaced persons could return to their homes.

17. The application of the above measures would take place under the authority and supervision of UNPROFOR. Their purpose would be to ensure an internationally monitored, step-by-step, reintroduction of Croatian Government authority to an area currently controlled by Serb forces and with a substantial Serb population, in such a manner as to minimize the danger of further hostilities and any further destabilization of the adjoining region. The implementation of these measures would require the strengthening of UNPROFOR by the addition of some 60 military observers and 120 UNCIVPOL.

18. The Force Commander has discussed these various measures with the parties. Each has, at one time or another, accepted some of the elements set out in paragraph 16 above, but neither has simultaneously accepted all of them. I am conscious that aspects of these measures will not appeal to one or the other of the parties. In particular, I am aware that the Government of the Republic of Croatia strongly holds the view that the restoration of its authority in the "pink zones" relates to its own sovereign territory and is not a matter for negotiation with other parties. None the less, I feel compelled to point out that unilateral action by the Croatian authorities in these areas, as has occurred earlier this week, is likely to have a severely destabilizing effect on UNPAs and to jeopardize the viability of UNPROFOR, an operation in which the international community has invested considerable effort and resources. The collapse of the Plan approved by the Security Council in Sectors North and South would have grave consequences not only in the other UNPAs but throughout the region.

19. I therefore recommend that the Security Council lend its support to the course of action proposed in paragraph 16 above, and that it appeal to all parties to cooperate fully with UNPROFOR in its implementation. For peace to have a real chance in this area mutual confidence has to be re-established, and this cannot at this stage happen without a genuine willingness to compromise by both sides, backed by the continuing support of the international community.